

KRISTIAN E WHITE  
11 GRANDVIEW CIRCLE SUITE 200  
CANNONSBURG, PA 15317-6510

**DECLARATION OF OIL AND GAS NOTICE**

(Tax Map 9, Clay District, Marshall County, West Virginia)

The undersigned hereby declares:

(1) The undersigned is the owner (or lessee) of one or more coal seams or workable coal beds as those terms are defined in Section One, Article Six, Chapter Twenty-two (Section 22-6-1) of the Code of West Virginia.

(2) The coal seam(s) or workable coal bed(s) are owned or leased partly or wholly by the undersigned lies under the surface of lands described in the Exhibit A attached hereto and made a part hereof.

(3) The undersigned desires to be given all notices of oil and gas operations provided by Sections Twelve, Thirteen, Fourteen, Twenty-three and Thirty-six of Article Six, Chapter Twenty-two (Sections 22-6-12; 22-6-13; 22-6-14; 22-6-23; and 22-6-36) of the Code of West Virginia, addressed as follows:

CONRHEIN COAL COMPANY

CONSOLIDATION COAL COMPANY

CONSOL PENNSYLVANIA COAL COMPANY LLC

McELROY COAL COMPANY

RESERVE COAL PROPERTIES COMPANY

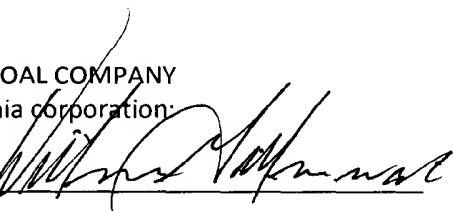
CNX LAND RESOURCES INC.

C/O LEATHERWOOD, INC.  
1000 CONSOL ENERGY DRIVE  
CANONSBURG, PA 15317-6506

IN WITNESS WHEREOF, Conrhein Coal Company, a Pennsylvania corporation, has caused its corporate name to be subscribed hereto this 17 day of DECEMBER, 2010, by William Gillenwater, its Assistant Manager, by authority duly given.

Jan Pest  
MARSHALL County 10:26:59 AM  
Instrument No 1298012  
Date Recorded 01/07/2011  
Document Type O&G  
Pages Recorded 6  
Book-Page 719-368  
Recording Fee \$6.00  
Additional \$6.00

CONRHEIN COAL COMPANY  
a Pennsylvania corporation:

By: 

Its: Assistant Manager

IN WITNESS WHEREOF, Consolidation Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 17 day of DECEMBER, 2010, by **William Gillenwater**, its **Vice President**, by authority duly given.

CONSOLIDATION COAL COMPANY

a Delaware corporation:

By:

Its: Vice President

IN WITNESS WHEREOF, CONSOL Pennsylvania Coal Company LLC, a Delaware limited liability company, has caused its corporate name to be subscribed hereto this 17 day of DECEMBER, 2010, by **William Gillenwater**, its **Vice President**, by authority duly given.

CONSOL PENNSYLVANIA COAL COMPANY LLC

a Delaware limited liability company:

By:

Its: Vice President

IN WITNESS WHEREOF, Reserve Coal Properties Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 17 day of DECEMBER, 2010, by **William Gillenwater**, its **Vice President**, by authority duly given.

RESERVE COAL PROPERTIES COMPANY

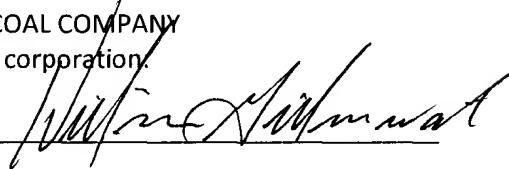
a Delaware corporation:

By:

Its: Vice President

IN WITNESS WHEREOF, McElroy Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 17 day of DECEMBER, 2010, by **William Gillenwater**, its **Vice President**, by authority duly given.

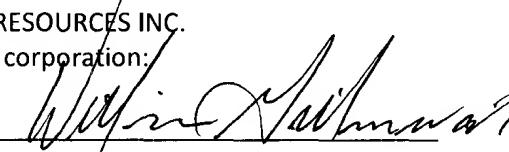
MCELROY COAL COMPANY  
a Delaware corporation

By: 

Its: Vice President

IN WITNESS WHEREOF, CNX Land Resources Inc., a Delaware corporation, has caused its corporate name to be subscribed hereto this 17 day of DECEMBER, 2010, by **William Gillenwater**, its **Vice President**, by authority duly given.

CNX LAND RESOURCES INC.  
a Delaware corporation

By: 

Its: Vice President

**NOTE: PLEASE PROPERLY INDEX THIS DOCUMENT (1) UNDER CONSOLIDATION COAL COMPANY, CONSOL PENNSYLVANIA COAL COMPANY, RESERVE COAL PROPERTIES COMPANY, CONRHEIN COAL COMPANY, MCELROY COAL COMPANY, AND CNX LAND RESOURCES INC. AS A GRANTOR, AND (2) UNDER THE NAMES OF EACH OF THE INDIVIDUAL SURFACE OWNER NAMES LISTED ON THE ATTACHED EXHIBIT A AS GRANTORS, ACCORDING TO LAST NAME AND/OR ENTITY NAME.**

COMMONWEALTH OF PENNSYLVANIA

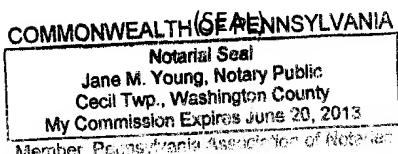
COUNTY OF WASHINGTON

**JANE M. YOUNG**

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **William Gillenwater**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **Assistant Manager** of CONRHEIN COAL COMPANY, a PENNSYLVANIA corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 17 day of DECEMBER, 2010.

  
Notary Public

My Commission expires \_\_\_\_\_

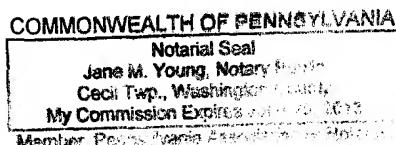


COMMONWEALTH OF PENNSYLVANIA  
**WASHINGTON**  
COUNTY OF \_\_\_\_\_

JANE M. YOUNG

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **William Gillenwater**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **Vice President** of **CONSOLIDATION COAL COMPANY**, a **DELAWARE** corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 17 day of DECEMBER, 2010.

(SEAL)




Notary Public

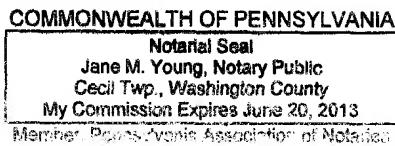
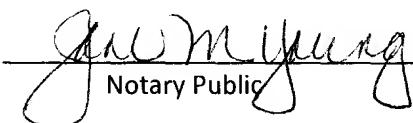
My Commission expires \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA  
**WASHINGTON**  
COUNTY OF \_\_\_\_\_

JANE M. YOUNG

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **William Gillenwater**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **Vice President** of **CONSOL PENNSYLVANIA COAL COMPANY LLC**, a **DELAWARE** limited liability company, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 17 day of DECEMBER, 2010.

(SEAL)

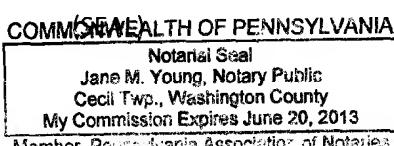
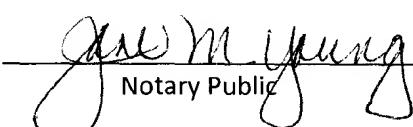
Notary Public

My Commission expires \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA  
**WASHINGTON**  
COUNTY OF \_\_\_\_\_

JANE M. YOUNG

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **William Gillenwater**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **Vice President** of **RESERVE COAL PROPERTIES COMPANY**, a **DELAWARE** corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 17 day of DECEMBER, 2010.

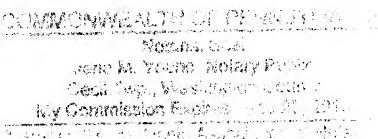



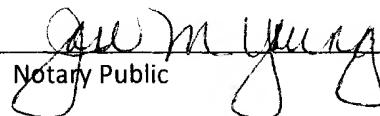
Notary Public

My Commission expires \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **William Gillenwater**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **Vice President** of **MCELROY COAL COMPANY**, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 17 day of DECEMBER, 2010.

(SEAL) 

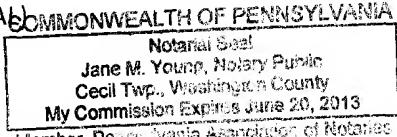
  
Jane M. Young  
Notary Public

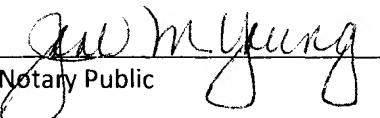
My Commission expires \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA  
**WASHINGTON**  
COUNTY OF \_\_\_\_\_

**JANE M. YOUNG**

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **William Gillenwater**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **Vice President** of **CNX LAND RESOURCES INC.**, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 17 day of DECEMBER, 2010.

(SEAL) 

  
Jane M. Young  
Notary Public

My Commission expires \_\_\_\_\_

This Document Prepared By:

Andrew S. Graham

WV Bar No. 9664

Steptoe & Johnson PLLC

1085 Van Voorhis Road

PO BOX 1616

Morgantown, WV 26507

(304) 598-8000

EXHIBIT A - SURFACE TRACTS (McELROY MINE)  
Tax Map 9, Clay District, Marshall County, West Virginia

Tract	Parcel	First Name	Last Name	Street Address	City	State	Section	Sectional	Reference
9	2	McEary	Rickey Lee	RR 3 Box 76D	Moundsville	WV	26041	21,4429 Ac Fork Ridge & OG	WB 538/238
9	2.4	Ryan	Jeffrey L., et al.	RR 3 Box 76	Moundsville	WV	26041	5,457 Ac Fork Ridge	WB 771385
9	2.5	Ryan	Jeffrey L.	RR 3 Box 76	Moundsville	WV	26041	69,122 Ac Fork Ridge	DB 632/61
9	2.7	Schuman	Guerry J. & Suzanne K.	16938 90th CT N	Maple Grove	MN	55311	13,8468 Ac Fork Ridge	DB 666/572
9	2.15	Schuman	Guerry J. & Suzanne K.	16938 90th CT N	Maple Grove	MN	55311	34,7952 Ac Fork Ridge	DB 666/572
9	3	Francis	Barbara P.	RR 3 Box 101	Moundsville	WV	26041	69 Ac Grave Creek & OG	WB 56295
9	4	Francis	Barbara P.	RR 3 Box 101	Moundsville	WV	26041	174 Ac Fork Ridge	WB 56295
9	4.1	Carroll	Shawn M., et ux.	RR 3 Box 328	Moundsville	WV	26041	25,327 Ac Middle Grave Creek & OG	DB 589/467
9	5	Hill	Ronald A., et al.	RR 4 Box 59	Moundsville	WV	26041	1118,9928 Ac Fork Ridge & OG Exc PGH	DB 680/52
9	7	Gatts	Harley L., II & Patricia L.	RR 3 Box 83	Moundsville	WV	26041	33,255 Ac Fork Ridge	DB 629/333
9	7.3	Gatts	Harley L., II & Patricia L.	RR 3 Box 83	Moundsville	WV	26041	6,50 Ac Fork Ridge	DB 500/588
9	8	Buchanan	James R., Jr.	RD 3 Box 82	Moundsville	WV	26041	15,081 Ac Fork Ridge & OG	DB 657/601
9	11	Buchanan	James R., et ux.	RR 3 Box 82	Moundsville	WV	26041	79,578 Ac Fork Ridge & OG	DB 499/20
9	12	Bonar	Gary L., et ux.	102 Waynesburg Pike	Moundsville	WV	26041	13 Ac Fork Ridge	DB 602/466
9	13	Aston	Lewis A., Jr., et ux.	RR 3 Box 87	Moundsville	WV	26041	43,507 Ac Fork Ridge	DB 428/384
9	14	Standiford	William R. & Linda L.	RR 3 Box 99	Moundsville	WV	26041	6,493 Ac Fork Ridge & OG	DB 631/595
9	17.2	Standiford	William R. & Linda L.	RR 3 Box 99	Moundsville	WV	26041	6,370 Ac Fork Ridge & OG	DB 533/624
9	19	Fletcher	H. Nelson, et al.	RR 3 Box 111	Moundsville	WV	26041	88 Ac Fork Ridge & OG Exc PGH	DB 647/345
9	20	Rulong	Clarence	RR 3 Box 112	Moundsville	WV	26041	154,49 Ac Fork Ridge & OG	DB 12/208
9	22	Rulong	Clarence	RR 3 Box 112	Moundsville	WV	26041	8 Ac Fork Ridge & OG	DB 12/7562
9	23	Aston	Lewis A., Jr., et ux.	RR 3 Box 87	Moundsville	WV	26041	6,268 Ac Fork Ridge	DB 459/693
9	23.3	Standiford	William R. & Linda L.	RR 3 Box 99	Moundsville	WV	26041	27,104 Ac Fork Ridge & OG	DB 466/201
9	23.5	McCracken	Kenneth L., et ux.	32 S. Highland Avenue	Moundsville	WV	26041	6,468 Ac Fork Ridge	DB 592/58
9	23.8	Standiford	William R. & Linda L.	RR 3 Box 99	Moundsville	WV	26041	5,323 Ac Fork Ridge & OG	DB 492/496
9	24	Bernas	Allan George	306 Olive Avenue	Moundsville	WV	26041	5,5659 Ac Fork Ridge	DB 485/77

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JIAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 17<sup>th</sup> day of December, 2010, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 7<sup>th</sup> day of January, 2011 at 10:26 o'clock A.M.

TESTE: